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May 7, 2007

Filed Electronically

Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: CGB-CC-0432: Reply of First Baptist Church, Albany, GA

Dear Sir/Madam:

On behalf of First Baptist Church, Albany, Georgia, please accept this written reply to the March 2, 2007 opposition which was filed in the above-referenced matter. Please recall that on February 13, 2006, you received a request for exemption to the closed captioning requirements of § 79.1 of the FCC Rules and you subsequently granted that request for an exemption and waiver to the applicable closed captioning requirements. For the following reasons, we respectfully request that you uphold the Commission's prior decision granting the exemption and waiver to the closed captioning requirements.

As an initial matter, we note that the March 2, 2007 opposition which was filed in this matter was not filed in compliance with FCC Rules and Regulations because an affidavit was not provided or attached thereto in compliance with 47 C.F.R. § 79.1(f)(9). Additionally, it is noteworthy that of the seven separate organizations that are represented in the opposition, none of them are within the broadcast/viewing area of the 11:00 a.m. Sunday services of First Baptist Church, Albany. In fact, of the seven organizations, the closest organization, Telecommunication and Technology Policy American Association of People with Disabilities, is in excess of 800 miles from Albany, Georgia. The entity which is farthest away, California Coalition of Agencies Serving the Deaf and Hard of Hearing, is more than 2,340 miles away from Albany, Georgia.

Moreover, none of the seven entities represented in the opposition have produced a single member from any of their organizations who claims to be impacted by the absence of closed captioning on the broadcast at issue to First Baptist Church, Albany. Rather, these appear to be seven national and/or localized organizations who have filed a boilerplate response and opposition to each and every broadcast program which has been granted an exemption from the closed captioning requirements.

in further reply, we continue to note that we are a non-profit organization. First Baptist Church, Albany, is not paid or in any way compensated for broadcasting the weekly 11:00 a.m. Sunday service in and around the viewing area of Albany, Georgia. Instead, our church actually pays the local NBC affiliate to broadcast its weekly one-hour program. It would be a substantial and undue burden upon our church to require that we provide closed captioning. Please note that we currently pay \$550.00 to the local NBC affiliate, WALB, for broadcast of the weekly service. However, an imposition of complying with the closed captioning requirements would increase our weekly costs by an additional \$299.00 per week for a total weekly cost of \$898.00 (Exhibit "A"). This represents an increase of 54.3% and is an undue burden upon First Baptist Church, Albany. Please note that this increase would amount to an additional \$15,548.00 per year and would balloon to \$77,740.00 over the next five years, presuming no cost increases during said five-year period. Moreover, our church's membership is in decline, as is reflected in Exhibit "B." Therefore, the number of charitable donors to our non-profit organization is also declining.

Finally, please note that public policy dictates that the FCC's closed captioning guidelines are an excellent goal and are certainly a wonderful rule applicable to all "for-profit" broadcasts. However, the FCC's guidelines also specifically allow flexibility and the granting of exemptions with regard to the enforcement of these rules. The granting of the waiver and exemption to the closed captioning rules to non-profit organizations which allow such organizations access to the airwaves with wholesome content in programming serves the purposes of the FCC and benefits our country as a whole. We respectfully request that the FCC enter an order upholding the Commission's prior decision to grant an exemption to the closed captioning requirements for First Baptist Church, Albany. The opposition to the exemption has failed to demonstrate that there is any harm to the exemption being granted in this matter.

Federal Communications Commission
May 7, 2007
Page 3

Thank you for your time and attention to this correspondence.
We look forward to receiving your favorable ruling.

Sincerely,

GARDNER, WILLIS, SWEAT & HANDELMAN

A handwritten signature in black ink, appearing to read "C. Todd Ross", with a long horizontal flourish extending to the right.

C. TODD ROSS

CTR:bw

Enclosures

cc: Senator Saxby Chambliss (via e-mail)
Senator Johnny Isakson
Representative Sanford D. Bishop, Jr. (via e-mail)
First Baptist Church, Albany
Paul O. Gagnier, Esq. (via e-mail)
Troy F. Tanner, Esq. (via e-mail)
Daniel C. Burke, Esq. (via e-mail)
WALB, Albany (via e-mail)

25-127.702



MEDIA IMAGES

4991 Transamerica Dr. • Columbus, Ohio 43228 • Phone (614) 410-3000 • Fax (614) 410-3001

Important Closed Captioning Information

November 16, 2006

Becky Boyd
First Baptist Church - Albany
P.O. Box 61
Albany, GA 31702

Dear Becky Boyd,

Recently you applied to the FCC for an exemption from the closed captioning requirements for your television program. I understand the financial burden this places on your ministry, however, you may not be aware there **is** a cost effective alternative to expensive captioning services. Media Images, one of the country's premier religious media companies, has developed a service designed exclusively for ministries, at very reasonable prices.

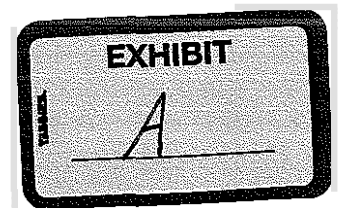
Closed Captioning - 30 Minute Program - \$199.00
Closed Captioning - 60 Minute Program - \$299.00

Our easy, inexpensive service will allow you to comply with the FCC closed captioning requirements immediately, or **after** your exemption expires. We offer duplication to and from most popular tape formats along with fast turn around times. This special pricing is open to ministries only and is not published on our web site. To begin using our service, please call us at (614) 410-3000 or visit our website at www.SmartCaptioning.com.

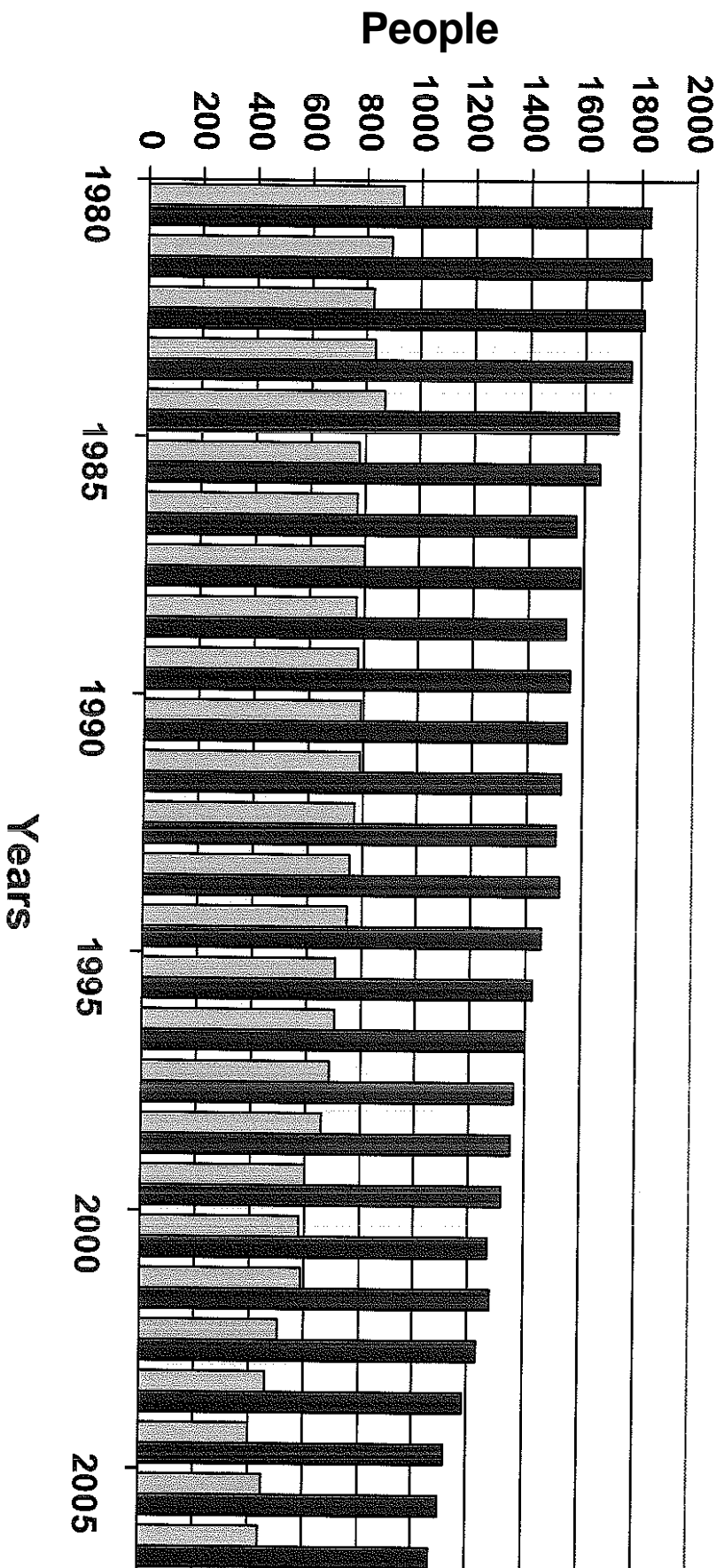
Blessings,

Adam R. Grover

Media Images Inc.
4991 Transamerica Dr.
Columbus, OH 43228
Phone: (614) 410-3000 ext. 104
Fax: (614) 410-3001
www.SmartCaptioning.com



FBC Albany (1980-2006)



EXHIBIT

B

AFFIDAVIT

GEORGIA, DOUGHERTY COUNTY.

COMES NOW REBECCA M. BOYD, who, after first being duly sworn,
deposes and states on oath as follows:

1

Affiant is the Church Administrator of First Baptist Church,
Albany, Georgia (the "Church"), is greater than eighteen (18) years
of age, and is able to testify competently to the matters set forth
in the Church's reply to opposition under CGB-CC-0432, Federal
Communications Commission.

2.

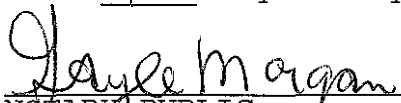
Affiant further states that the facts contained in said reply
are true and correct to the best of her knowledge and belief.

FURTHER, AFFIANT SAYETH NOT.

This 7 day of May, 2007.

 (SEAL)
REBECCA M. BOYD, Affiant

Sworn to and subscribed before me
this 7 day of May, 2007.


NOTARY PUBLIC
My commission expires: February 2, 2010